

REMARKS

Reconsideration and withdrawal of the rejections of the application is respectfully requested in view of the remarks, enclosures and amendments herein.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claim 15 is now pending. Claim 14 has been cancelled, without prejudice, without admission, without surrender of subject matter and without any intention of creating any estoppel as to equivalents.

No new matter is added.

It is submitted that the claims, as originally presented and as herein presented, are patentably distinct over the prior art cited by the Examiner, and that these claims are and were in full compliance with the requirements of 35 U.S.C. §112. Amendments to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §§ 101, 102, 103 or 112. Rather, these amendments are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. THE DOUBLE PATENTING REJECTIONS ARE OVERCOME

Claim 15 was rejected under 35 U.S.C. §101 as allegedly claiming the same invention as that of claim 1 of prior U.S. Patent No. 6,368,816. The rejection is respectfully traversed.

Claim 15 has been cancelled herein, rendering the rejection moot. Accordingly, reconsideration and withdrawal of the statutory double patenting rejection is respectfully requested.

Additionally, claim 14 was rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claim 1 of U.S. Patent No. 6,368,816. The rejection is respectfully traversed.

Enclosed herewith is a Terminal Disclaimer as to U.S. Patent No. 6,368,816. Accordingly, reconsideration and withdrawal of the obviousness-type double patenting rejection is respectfully requested.

REQUEST FOR INTERVIEW

If any issue remains as an impediment to allowance, prior to issuance of any paper other than a Notice of Allowance, an interview, is respectfully requested, with the Examiner and his supervisor, and, the Examiner is respectfully requested to contact the undersigned to arrange a mutually convenient time and manner for such an interview.

CONCLUSION

The Amendments, remarks and enclosures herein place the application in condition for allowance. An early and favorable consideration of the application on the merits, and prompt issuance of a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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